

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

INTEGRATED HEALTH SERVICES OF
CLIFF MANOR, INC., INTEGRATED
HEALTH SERVICES AT RIVERBEND,
INTEGRATED HEALTH SERVICES AT
SOMERSET VALLEY, INC., ALPINE
MANOR, INC., BRIARCLIFF NURSING
HOME, INC., INTEGRATED HEALTH
GROUP, INC., SPRING CREEK OF IHS, INC.,
FIRELANDS OF IHS, INC., ELM CREEK OF
IHS, INC., and IHS LONG TERM CARE
SERVICES, INC.,

Plaintiffs,

v.

THCI COMPANY LLC,

Defendant,

v.

ABE BRIARWOOD CORPORATION and
JOHN DOES 1-10,

Additional Counterclaim
Defendants.

Civil Action No. 04-910 (GMS)

**MOTION BY DEFENDANT THCI COMPANY LLC FOR PARTIAL SUMMARY
JUDGMENT PURSUANT TO FED. R. CIV. P. 56 AND PERMANENT INJUNCTION**

Defendant THCI Company LLC (“THCI”), by and through its undersigned counsel, moves pursuant to Fed. R. Civ. P. 56 (the “Motion”), for an Order granting partial summary judgment and evicting Integrated Health Services of Cliff Manor, Inc., Integrated Health Services at Riverbend, Inc., Integrated Health Services at Somerset Valley, Inc., Alpine Manor, Inc., Briarcliff Nursing Home, Inc., Integrated Health Group, Inc., Spring Creek of IHS, Inc., Firelands of IHS, Inc., and Elm Creek of IHS, Inc. (collectively, the “Nine Subsidiaries”)

and requiring them to vacate and surrender to THCI the nine nursing home facilities currently occupied by the Nine Subsidiaries. In support of the Motion, THCI relies upon THCI's Memorandum of Law in Support of Partial Summary Judgment and the Declaration of Warren Cole dated April 3, 2006.

Dated: April 3, 2006

CONNOLLY BOVE LODGE & HUTZ LLP



Collins J. Seitz, Jr. (Bar No. 2237)
1007 North Orange Street
Wilmington, DE 19801
Tel: (302) 658-9141
Fax: (302) 658-5614

Attorneys for THCI Company LLC

Of Counsel:

David S. Sager
Paul R. Marino
PITNEY HARDIN LLP
P.O. Box 1945
Morristown, NJ 07962
Tel: (973) 966-6300
Fax: (973) 966-1015

Attorneys for THCI Company LLC